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November 7, 2021

**VIA EMAIL**

Honorable R. Barclay Surrick  
United States District Judge  
United States Courthouse  
601 Market Street - Room 8614  
Philadelphia, Pennsylvania 19106

Re: Ex Parte Application Of Iraq Telecom Limited For An Order To Obtain Discovery For Use In Foreign Proceedings Pursuant To 28 U.S.C. § 1782 – Miscellaneous No. 19-175

Dear Judge Surrick:

We are co-counsel for applicant, Iraq Telecom Limited (“Iraq Telecom”), in the above-captioned proceeding under 28 U.S.C. §1782.

We write to oppose Mr. Ebby’s request for an extension to comply with the Court’s Order dated November 5, 2021 (the “Order”), which ordered Dechert LLP (“Dechert”) to produce within three days of the date of the Order, all documents on the privilege log to Iraq Telecom, except for three specified documents, which first must be provided to the Court for *in camera* review. Mr. Ebby’s request should be summarily denied.<sup>1</sup>

Of note, the Order compels *Dechert*, not Mr. Ebby’s clients, to produce the documents. As such, Mr. Ebby lacks standing for his request.

Moreover, even if Mr. Ebby’s request is substantively entertained, it should be denied. Mr. Ebby frames his desired extension as arising from his need to consult with his clients in Lebanon. This purported justification is simply a continuation of Mr. Ebby’s now-familiar delay tactics. The

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<sup>1</sup> Mr. Ebby did not consult counsel for Iraq Telecom prior to submitting his request to the Court, in violation of Your Honor’s procedures.

now-resolved motion to compel has been pending for months, and Mr. Ebby's clients have been on notice of the possibility that these documents would have to be produced for almost a year. Mr. Ebby must simply provide notice to his clients of the occurrence of the production order, which he surely has already done. That Mr. Ebby's clients may be located in Lebanon is of no moment, particularly in this day and age when Dechert may meet its production obligation by simply transmitting the documents, which are ready and available, directly or through Mr. Ebby.

Finally, as this Court is well-aware, Iraq Telecom is in an urgent time critical situation with respect to these documents. Every passing day impacts the potential utility of these documents, including with respect to a critical December 10, 2021 deadline, which requires evaluation and processing of the to-be produced documents. The time for delay tactics is over, and the documents must be produced. The Court's Order could not be clearer that the assertions of privilege with respect to all but three documents lack any merit. Given Mr. Ebby's clients' delay tactics, Iraq Telecom is considering all potential relief, including seeking sanctions in the event Dechert fails to comply.

Accordingly, we respectfully request that the Court deny Mr. Ebby's request for an extension, which is a transparent attempt to further delay the production of the documents.

Thank you for your consideration.

Respectfully submitted,

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

*/s/ Kristin N. Tahler*  
Kristin N. Tahler

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*/s/ James T. Sandnes*  
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cc: All counsel of Record by Email